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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,154	10/16/2003	David S. Benco	LUC-438/Benco 33-24-24-27	6638

47382	7590	11/02/2006	

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EXAMINER
LA, NICHOLAS T

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/687,154	BENCO ET AL.
	Examiner	Art Unit	
	Nicholas T. La	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 October 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _1-8, 21 and 23_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _9-20 and 22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the
fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.
Since this application is eligible for continued examination under 37 CFR 1.114,
and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the
previous Office action has been withdrawn pursuant to 37 CFR 1.114.
Applicant's submission filed on 10/10/2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered
but are moot in view of the new ground(s) of rejection.

Regarding applicant's argument that there is no reason to combine An et
al. and Seshadri et al. The Examiner respectfully disagrees. Both An et al. and
Seshadri et al. teach notification systems in mobile telecommunication.
Therefore, it would have been obvious to one skill in the art to combine them at
the time of the invention was made.

Claims 1-8, 21, 23 are canceled.

Claims 9-20, 22 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 9, 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added claimed subject matter recited in the claims "event that is associated with a predetermined mobile handset of a plurality of mobile handsets" or "event notification is sent in SMS form from the network to a selected one mobile handset of the plurality of mobile handsets…" are not included in the original specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2)   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over An et al. (US Pub. No. 2002/0077062) and further in view of Seshadri et al.

(US Pub. No. 2004/0002958).

        Regarding **claim 9**, An et al. further discloses a method for input of events

and subsequent event notification to at least one mobile handset, comprising the

steps of:

        inputting to a network a computer generated message that is related to an

event that is associated with a predetermined mobile handsets of a plurality of

mobile handsets (Figure 1, 3; paragraph [0043]-[0049]; An et al. teaches

shoppers are satisfied with sudden event, i.e., shopping information such as

sales... and therefore, shoppers are associated to sudden events; An et al.

further teaches identifying the entranced registered mobile terminals of the

visiting to justify transmitting sudden event information);

        converting the computer generated message to a notification message in

SMS form (paragraph [0043]-[0049]); and

        automatically sending the notification message in SMS form from the

network to the mobile handsets (paragraph [0049]).

        However, An does not expressly teach distinguishing one mobile from a

plurality of mobile handsets to receive event information. In an analogous art,

Seshadri et al. teaches distinguishing one mobile from a plurality of mobile

handsets to receive event information (paragraph [0083], [0446]). Therefore, it

would have been obvious to one ordinary skill in the art at the time of the

invention was made to modify An et al. to include distinguishing one mobile from

a plurality of mobile handsets to receive event information such as taught by

Seshadri et al. in order to providing notification information to a respective mobile

device in respect to priority of the message according user profile and therefore

the user can be notified of the important or urgent message in a appropriate and

timely manner.

Regarding **claim 16**, An et al. further discloses a system for input of

events and subsequent event notification to at least one mobile handset,

comprising:

a network operatively connected to at least a public data network

communication system and to at least one mobile handset (Figure 1, 3;

paragraph [0027]-[0029]);

the network having an input module operatively connected to the public

data network communication system (paragraph [0041]-[0044]);

the network having a conversion module operatively connected to the

input module and to a plurality of mobile handsets that are uniquely identifiable

(Figure 2; paragraph [0038]-[0043], [0046]-[0049], [0053]); and

the network having a communication module operatively connected to the

conversion module and to the at least one mobile handset (Figure 2; paragraph

[0038]-[0039]);

wherein when a computer generated message, which is related to an

event, is inputted from the public data network communication system, the

computer generated message in converted to a notification message in SMS

form, and the notification message is automatically sent in SMS form from the

network to the entrance registered shoppers (Figure 1, 3; paragraph [0043]-

[0049]).

However, An does not expressly teach distinguishing one mobile from a

plurality of mobile handsets to receive event information. In an analogous art,

Seshadri et al. teaches distinguishing one mobile from a plurality of mobile

handsets to receive event information (paragraph [0083], [0446]). Therefore, it

would have been obvious to one ordinary skill in the art at the time of the

invention was made to modify An et al. to include distinguishing one mobile from

a plurality of mobile handsets to receive event information such as taught by

Seshadri et al. in order to providing notification information to a respective mobile

device in respect to priority of the message according user profile and therefore

the user can be notified of the important or urgent message in a appropriate and

timely manner.

Regarding **claim 10**, An et al. further teaches a method, wherein the

method further comprises: recognizing, by the network, that the computer

generated message is related to an event; and accepting, by the network, the

event as an input to the network (paragraph [0041]-[0043]).

Regarding **claim 11**, An et al. further teaches a method, wherein the event

comprises: an information part; and a designation part that designates a mobile

handset (paragraph [0038]-[0041], [0046]-[0047]).

Regarding **claim 12**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message that is related to an event, the

network automatically checks the designation part for a valid mobile handset

designation, and, if the mobile handset designation is valid, checks the

information part for a valid event format (paragraph [0015], [0043]-[0049]).

Regarding **claim 13**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message, the network automatically checks

the designation part for a valid mobile handset designation (paragraph [0015],

[0046]-[0049]).

Regarding **claim 14**, An et al. further teaches a method, wherein, upon

inputting of the computer generated message, the network automatically checks

the information part for a valid event format (paragraph [0015], [0043]-[0045]).

Regarding **claim 15**, An et al. further teaches a method, wherein, after

inputting of the computer generated message that is related to an event, the

network automatically converts the computer generated message to a notification

message in SMS form and automatically delivers the notification message in

SMS form to the designated mobile handset (paragraph [0038], [0041]-[0043], [0049]).

Regarding **claim 17**, An et al. further teaches a system, wherein the input module has a recognition module for recognizing that the computer generated message is related to an event; and an accepting module for accepting the event as an input to the network (paragraph [0041]-[0044]).

Regarding **claim 18**, An et al. further teaches a system, wherein the event comprises: an information part; and a designation part that designates a mobile handset (paragraph [0038]-[0041], [0046]-[0047]).

Regarding **claim 19**, An et al. further teaches a system, wherein the designation part of the event is representative of a mobile handset designation, and wherein the information part of the event is representative of a valid event format (paragraph [0015], [0043]-[0049]).

Regarding **claim 20**, An et al. further teaches a system, wherein, after inputting of the computer generated message that is related to an event, the network automatically converts the computer generated message to a notification message in SMS form and automatically delivers the notification message in SMS form to the designated mobile handset (paragraph [0038], [0041]-[0043], [0049]).

3)   **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over

An et al. (US Pub. No. 2002/0077062) and further in view of Seshadri et al. (US

Pub. No. 2004/0002958) and further in view of Sawyer et al. (US Patent No.

5,946,629).

Regarding **claim 22**, An et al. and Seshadri et al. further teaches receiving

an event-message encapsulated in an event message format (Seshadri et al.,

Figure 1, 3, 8, 11), (An et al., Figure 1, 3, SMS message format, paragraph

[0049]), verifying validity of a destination mobile telephone number corresponding

to the mobile handset (Seshadri et al., paragraph [0142]), (An et al. paragraph

[0052]-[0053]), and converting the notification messages to a specified format

(Seshadri et al.; paragraph [0093]-[0094], [0122], [0279]-[0283]), and using SMS

to send the notification messages to the mobile (An et al., paragraph [0049]),

(Seshadri et al., paragraph [0421]). However, An et al. and Seshadri et al. does

not expressly teach the format details having the following fields, EVENT-

MESSAGE-HEADER followed by EVENT-EVENT-DESTINATION, followed by

EVENT_DETIMITER, followed by EVENT_TEXT, followed by EVENT-TRAILER,

parsing each EVENT-MESSAGE to verify the HEADER, DETIMITER, and

TRAILER fields; and converting, if the mobile terminal handset supports SMS,

the EVENT-MESSAGE to an SMS message. In an analogous art, Sawyer et al.

teaches the format having the following fields, EVENT-MESSAGE-HEADER

followed by EVENT-DESTINATION, followed by EVENT_DETIMITER, followed

by EVENT_TEXT, followed by EVENT-TRAILER, parsing each EVENT-

MESSAGE to verify the HEADER, DETIMITER, and TRAILER fields; and

converting, if the mobile terminal handset supports SMS, the EVENT-MESSAGE

to an SMS message (Figure 3; col. 2, line 5 to 26; col. 3, line 47 to col. 4, line 47;

col. 5, line 5 to 41; col. 6, line 43 to 55). Therefore, it would have been obvious

to one ordinary skill in the art at the time of the invention was made to modify An

et al. and Seshadri et al. SMS notification system to include the format details

having the following fields, EVENT-MESSAGE-HEADER followed by EVENT-

DESTINATION, followed by EVENT_DETIMITER, followed by EVENT_TEXT,

followed by EVENT-TRAILER, parsing each EVENT-MESSAGE to verify the

HEADER, DETIMITER, and TRAILER fields; and converting, if the mobile

terminal handset supports SMS, the EVENT-MESSAGE to an SMS message in

order to facilitating effectively providing SMS message notification to respective

mobile device and therefore the user can be notified of the important or urgent

message in a appropriate and timely manner such as taught by both An et al.

and Seshadri et al.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Nicholas T. La whose telephone number is

(571)-272-8075. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas La
10/20/2006

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